

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 24-C-230

DAVID A. WYNOS, DEVIN K. WYNOS,  
MENOMINEE INDIAN TRIBE OF WISCONSIN,  
COVANTAGE CREDIT UNION, and  
COTTONWOOD FINANCIAL WISCONSIN, LLC,

Defendants.

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**JUDGMENT**

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Upon review of all of the records and papers on file in the above-entitled action by the Honorable William C. Griesbach, United States District Judge of the Eastern District of Wisconsin, and the Court having entered findings of fact and conclusions of law,

**IT IS HEREBY ORDERED AND ADJUDGED** that the mortgaged premises which are the subject of this action are described as follows:

Lot 5 in Onanekwat Resort, Being a Part of the SE-NE, NE-SE, and The NW-SE, all located In Section 20, Township 28 North, Range 16 East, Menominee Indian Reservation, Menominee County, Wisconsin. Located In The 4th Principal Meridian. containing .50 acres more or less.

Address N1061 Onanekwat Road, Keshena, WI 54135

**IT IS FURTHER ORDERED AND ADJUDGED** that plaintiff is entitled to the following, together with the disbursements of this action as taxed, and as to be taxed by the Clerk of Court, all with interest after August 14th, 2024, at the post-judgment legal rate.

a) Unpaid Principal and Interest:

|                                   |             |
|-----------------------------------|-------------|
| Principal Balance                 | \$93,747.36 |
| Accrued Interest to April 5, 2023 | \$ 2,113.65 |

b) Fees and Costs Already Incurred:

|                  |          |
|------------------|----------|
| Fees Assessed    | \$ 45.00 |
| Lis Pendens fees | \$ 30.00 |

c) Taxes, Assessments, Insurance, and Necessary Repairs: Plaintiff may pay any taxes, assessments, or insurance premiums accruing against the mortgaged premises that are now due or that shall become hereafter due before a sale of the leasehold interest. To protect and preserve the leasehold interest, plaintiff may make payments for such repairs to the premises as may reasonably be deemed necessary for the proper preservation thereof. All sums advanced by plaintiff for taxes, assessments, insurance, or necessary repairs shall become additional indebtedness secured by the mortgage, with interest thereon from the date of payment at the legal post-judgment rate, and may be added to the judgment by order at any time after the entry thereof.

d) Costs of Foreclosure: Plaintiff may be required to make various payments of costs and expenses in connection with the foreclosure. Plaintiff may obtain an order providing that any such payments, with interest thereon from the date of payment at the legal post-judgment rate, be paid out of the proceeds of a foreclosure sale.

**IT IS FURTHER ORDERED AND ADJUDGED** that the leasehold interest be sold at auction in the County of Menominee, State of Wisconsin, by and under the direction of the United States Marshal for the Eastern District of Wisconsin at any time six (6) months after the date of entry of this judgment, unless previous to that date the leasehold interest and judgment shall be redeemed in the manner provided by law, by payment of the total amount of such judgment, together with costs and interest thereon at the legal rate.

**IT IS FURTHER ORDERED AND ADJUDGED** that, in accordance with 42 U.S.C. § 1479(d) and 7 C.F.R. § 3550.251(c)(3), the United States Marshal may sell, transfer, or otherwise dispose of the leasehold interest only to the Tribe, the Tribal housing authority, an eligible Tribal member, or the Department of Housing and Urban Development, which itself may only sell, transfer or otherwise dispose of the leasehold interest only to the Tribe, the Tribal housing authority, or an eligible Tribal member. Any such sale, transfer, or other disposition of the leasehold interest will not affect the status of the property as being held by the United States in trust for the Tribe.

**IT IS FURTHER ORDERED AND ADJUDGED** that in case of sale pursuant hereto, the United States Marshal shall notice and conduct said sale in the manner provided by law and the usual custom of the Eastern District of Wisconsin; including the requirement that the Marshal shall accept from the purchaser at such sale, as a deposit or down payment, not less than ten (10) percent, in which case, such amount shall be so deposited with the Clerk of Court, and the balance of the sale price should be paid to the Clerk of Court by the purchaser within thirty (30) days of the date of sale, except that if plaintiff be the successful bidder at such sale, the United States Marshal may take the receipt of plaintiff in lieu of cash payment.

**IT IS FURTHER ORDERED AND ADJUDGED** that the sale of said leasehold interest shall be subject to confirmation of the Court by order, and said order shall, if appropriate, provide for confirmation of sale, issuance of a Marshal's Deed for the leasehold, and disbursement of funds to satisfy the above-owed amounts.

**IT IS FURTHER ORDERED AND ADJUDGED** that after confirmation of the sale by the Court, if there are surplus proceeds after the plaintiff has been paid in full, such proceeds be held by the Clerk of Court and subject to further order of the Court.

**IT IS FURTHER ORDERED AND ADJUDGED** that upon the confirmation of the sale of the leasehold, the purchaser or purchasers, or his or their heirs, representatives or assigns, be let into possession of the leasehold sold, upon production of the United States Marshal's Deed thereto or duly authenticated copy thereof; that each and every one of the parties to this action who may be in possession of the leasehold, and every other person who since the filing of the notice of pendency of this action has come into possession of the same or any part thereof under them or either of them shall deliver to such grantee or grantees named in such deed, possession of the leasehold; and that a writ of assistance be issued by the Clerk of Court upon application by plaintiff if necessary to secure such possession.

**IT IS FURTHER ORDERED AND ADJUDGED** that the defendants, their heirs, successors and assigns, and all persons claiming under them after the filing of notice of pendency of this action, be forever barred and foreclosed of all right, title, interest and equity of redemption in the leasehold interest.

**IT IS FURTHER ORDERED AND ADJUDGED** that the defendants and all persons claiming under them be and they are hereby enjoined from committing waste upon the leasehold and from doing any act that may impair the value of the same, unless meanwhile the leasehold shall have been duly redeemed as provided by law.

Dated at Green Bay, Wisconsin this 14th day of August, 2024.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge

Dated at Green Bay, Wisconsin, this 14th day of August, 2024.

GINA M. COLLETTI  
Clerk of Court  
Eastern District of Wisconsin

By:

Mary Fisher  
Deputy Clerk